



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/847,513 Attorney Docket No.: MBA-101/US  
Filing Date: 05/01/2001 Art Unit: 1637  
Applicants: Edward F. Delong *et al* Examiner: Teresa E. Strzelecka  
Title: Light-Driven Energy Generation Using Proteorhodopsin

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

10 Mail Stop Non-Fee Amendment  
Commissioner for Patents  
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Typed or printed name of person signing this certificate

on 10/16/06

15 Date

*Edward F. Delong*

*Edward F. Delong*

Signature

STATEMENT REGARDING ACCESSIBILITY OF DEPOSIT

20 Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
25 Alexandria, VA 22313-1450

Sir:

30 I hereby state that all restrictions on the accessibility of the deposited biological material for the above-referenced application will be irrevocably removed by Monterey Bay Aquarium Research Institute, the Assignee of the above-referenced application, upon the granting of the patent. The deposited biological material consists of the following:

35 The *Escherichia coli* containing cloned DNA BAC 31A8 having assigned ATCC number PTA-3083, the *Escherichia coli* containing cloned DNA BAC 40E8 having assigned ATCC number PTA-3082, the *Escherichia coli* containing cloned DNA BAC 41B4 having assigned ATCC number PTA-3080, and the *Escherichia coli* containing cloned DNA BAC 64A5

having assigned ATCC number PTA-3081, all having been deposited on February 21, 2001 with the ATCC Patent Depository.

The Escherichia coli containing a plasmid PAL E6 having assigned ATCC number PTA-3250, the Escherichia coli containing a plasmid HOT 0m1 having assigned ATCC number PTA-3251, the Escherichia coli containing a plasmid HOT 75m4 having assigned ATCC number PTA-3252, and the Escherichia coli containing cloned DNA BAC64A5 having assigned ATCC number PTA 3082, all having been deposited on March 30, 2001 with the ATCC Patent Depository.

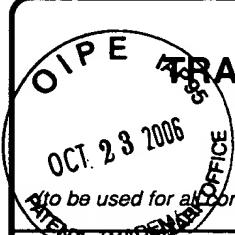
10

Signature: Marcia McNutt Date: October 15, 2006

Name: Marcia McNutt

15

Title: President & CEO

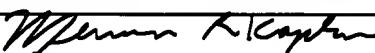

**TRANSMITTAL  
FORM**
*(to be used for all correspondence after initial filing)*
**Total Number of Pages in This Submission**

Application Number	09/847513
Filing Date	5/1/2001
First Named Inventor	Edward F. DeLong
Art Unit	1637
Examiner Name	Strzelecka, Teresa
Total Number of Pages in This Submission	Attorney Docket Number
	MBA-101/US

**ENCLOSURES (Check all that apply)**

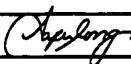
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <ul style="list-style-type: none"> <li><input type="checkbox"/> After Final</li> <li><input type="checkbox"/> Affidavits/Declaration(s)</li> </ul> <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Doc(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Corresp. Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Comm. to TC <input type="checkbox"/> Appeal Comm. to Board of Appeals and Interferences <input type="checkbox"/> Appeal Comm. to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other (Specified below)  Other: Statement Regarding Accessibility and Issue Fee ..... .....
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

FIRM NAME	LUMEN INTELLECTUAL PROPERTY SERVICES, Inc.		
SIGNATURE			
PRINTED NAME	Miriam R Kaplan		
DATE	10/18/06	REGISTRATION NUMBER	55,315

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

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PRINTED NAME	Abigail Capulong
DATE	10/18/06

This collection of information is required by 37 CFR 1.51. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.11 and 1.14.  
**SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**